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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

John Vinson,

Plaintiff,

vs.

Western Control Services, Inc., Experian
Information Solutions, Inc., Equifax
Information Services LLC,

Defendants.

Case No.:

COMPLAINT FOR DAMAGES

INTRODUCTION

1. Defendant Western Control Services, Inc., (“Western Control”), a debt collector, improperly reported an account as a collection account on Plaintiff John Vinson’s credit report. Despite Mr. Vinson’s repeated disputes and a letter from the original creditor stating that the item should be removed from Mr. Vinson’s report, Defendants continue to report the account as a collection account. Mr. Vinson brings this action to remedy Defendants’

1 violation of the Fair Debt Collection Practices Act (“FDCPA”) and Fair
2 Credit Reporting Act (“FCRA”).
3

4 JURISDICTION AND VENUE

5 2. Jurisdiction of this Court arises under 15 U.S.C. §§1692k(d), 1681(p); and 28
6 U.S.C. §1337(a).
7

8 3. Defendants are licensed to do business in the state of Arizona, and thus this
9 Court has personal jurisdiction over them and venue is proper. 28 U.S.C. §
10 1391.
11

12 PARTIES

13 4. Plaintiff John Vinson (“Mr. Vinson”) is a natural person residing in Maricopa
14 County, Arizona.
15

16 5. Plaintiff is an individual and thus a “consumer” as defined by § 1681a(c) of
17 the FCRA.
18

19 6. Defendant Western Control is a Colorado corporation, licensed to do
20 business in Arizona.
21

22 7. Western Control is a licensed debt collector in the state of Arizona.

23 8. Western Control regularly collects or attempts to collect, directly or
24 indirectly, debts owed or due, or asserted to be owed or due, to another.
25
26
27
28

- 1 9. Western Control is a “debt collector” as defined by the FDCPA. 15 U.S.C. §
2 1692a(6).
- 3
- 4 10. Defendant Experian Information Solutions, Inc. (“Experian”) is an Ohio
5 corporation licensed to do business in Arizona.
- 6
- 7 11. Experian is a consumer reporting agency, as defined in § 1681(f) of the
8 FCRA, and regularly engaged in the business of assembling, evaluating, and
9 dispersing information concerning consumers for the purpose of furnishing
10 consumer reports, as defined in § 1681a(d) of the FCRA to third parties.
- 11
- 12 12. Defendant Equifax Information Services LLC (“Equifax”) is a Georgia
13 limited liability company, licensed to do business in Arizona.
- 14
- 15 13. Equifax is a consumer reporting agency, as defined in § 1681(f) of the
16 FCRA, and regularly engaged in the business of assembling, evaluating, and
17 dispersing information concerning consumers for the purpose of furnishing
18 consumer reports, as defined in § 1681a(d) of the FCRA to third parties.
- 19

20 **FACTUAL ALLEGATIONS**

21 **The Underlying Account**

- 22
- 23 14. In November of 2005, Mr. Vinson hired Creative Environments Design and
24 Landscaping, Inc. (“Creative Environments”) to perform some landscaping at
25 his home residence.
- 26
- 27
- 28

- 1 15. Mr. Vinson paid Creative Environments \$20,000.00 and agreed to pay them
2 an additional \$3,595.07 upon the completion of the work.
3
- 4 16. Unfortunately, Creative Environments did not properly finish the landscape
5 job.
6
- 7 17. Mr. Vinson filed a complaint with the Arizona Registrar of Contractors
8 ("AROC").
9
- 10 18. Mr. Vinson did not make the final payment because the work was not
11 satisfactorily completed.
- 12 19. The AROC found in Mr. Vinson's favor. (AROC's Notice and Corrective
13 Work Order attached as Exh. A).
14
- 15 20. After Creative Environments properly finished landscaping Mr. Vinson's
16 yard in accordance with the AROC's order, Mr. Vinson paid the remaining
17 balance due on the account.
18

19 **Creative Environments Refers the Account to Western Control**

- 20 21. While Mr. Vinson's complaint was pending in front of the AROC, Creative
21 Environments improperly referred the account to Western Control for
22 collections.
23
- 24 22. In November of 2007, Western Control began reporting the account on Mr.
25 Vinson's credit reports as a collection account.
26
27
28

1 23. Despite the fact that the dispute was resolved in Mr. Vinson's favor, Western
2 Control continued to report the account as a collection account.

3
4 24. On September 9, 2010, Mr. Vinson applied to refinance his home at an
5 interest rate of 3.5 percent.

6
7 25. Mr. Vinson was denied because of the Western Control account which
8 appeared on his Transunion, Experian, and Equifax credit reports.

9
10 26. Mr. Vinson's current mortgage is a 5/1 Arm, at an initial interest rate of
11 4.875.

12 27. His interest rate will adjust in approximately 13 months, with a limit of 200
13 basis points for adjustment.

14
15 28. On September 15, 2010, Creative Environments sent a letter to Western
16 Control requesting that they delete the account from Mr. Vinson's credit
17 report. (Creative Environments' letter of September 15, 2010 attached as
18 Exh. B).

19
20 29. Despite Creative Environments' request, Western Control refused to delete
21 the account from Mr. Vinson's credit report, instead reporting it as a paid
22 collection.

23
24 30. Mr. Vinson also had repeated phone conversations with Western Control to
25 try to get them to take the item off his credit report.
26
27
28

TransUnion Removes the Item from Mr. Vinson's Credit Report

31. On November 17, 2010, Mr. Vinson submitted a dispute to Transunion regarding the account.

32. On December 11, 2010, Transunion responded, stating that the account had been deleted from his credit report. (TransUnion's statement attached as Exh. C).

Mr. Vinson Disputes the Account With Experian

33. On November 17, 2010, Mr. Vinson submitted a dispute to Experian, regarding the account.

34. On November 25, 2010, Experian responded as follows:

We received a suspicious request regarding your personal credit information that we have determined was not sent by you. This could be deemed as deceptive or fraudulent use of your information...."

(Experian's response attached as Exh. D).

35. On December 23, 2010, Mr. Vinson submitted a second dispute to Experian regarding the account. (Mr. Vinson's dispute attached as Exh. E).

36. Experian did not conduct a reasonable investigation of Mr. Vinson's dispute.

37. Upon information and belief, Experian simply forwarded Mr. Vinson's dispute to Western Control.

1 38. Upon information and belief, Western Control did not conduct a reasonable
2 investigation, if any, of Mr. Vinson's dispute.

3
4 39. Upon information and belief, Western Control verified the debt.

5 40. On January 18, 2011, Experian sent Mr. Vinson a letter stating that the
6 account had been updated to read "paid, closed," but continued to list the
7
8 account as a "collection." (Experian's response attached as Exh. F).

9 41. On February 9, 2011, Mr. Vinson submitted another letter asking Experian
10 to tell him what it did to investigate his previous dispute and submitting
11 another dispute.
12

13 42. On February 22, 2011, Experian responded to Mr. Vinson stating that it had
14 received insufficient identification information and therefore could not
15 investigate the dispute. (Experian's response attached as Exh. G).
16

17 43. On March 30, 2011, Mr. Vinson submitted yet another dispute to Experian.

18 44. In response, Experian stated that it had already investigated the dispute and
19 the creditor had verified that the item was accurate.
20

21 45. On June 16, 2011, Mr. Vinson sent a final dispute to Experian, explaining
22 why the account should not be listed as a collection account and including a
23 copy of the letter from Creative Environments. (Mr. Vinson's letter attached
24 as Exh. H).
25
26

27 46. Experian did not conduct a reasonable investigation of Mr. Vinson's dispute.
28

1 47. Experian did not respond to that dispute.

2 **Mr. Vinson Disputes the Account With Equifax**

3
4 48. On November 17, 2010, Mr. Vinson sent a letter to Equifax, disputing the
5 Western Control item.

6
7 49. On November 29, 2010, Equifax responded stating that the “disputed account
8 western control services is currently not reporting on Equifax credit file.”
9 (Equifax’s response attached as Exh. I).

10
11 50. However, the Western Control item subsequently reappeared on Mr.
12 Vinson’s credit report.

13
14 51. When the item reappeared, Mr. Vinson sent another letter to Equifax
15 disputing the item listed by Western Control on April 11, 2011.

16
17 52. On April 19, 2011, Equifax sent Mr. Vinson a letter stating that paid accounts
18 would be removed in seven years.

19
20 53. On April 22, 2011, Mr. Vinson sent a dispute to Equifax of the Western
21 Control account with a copy of the 9-15-10 letter from Creative
22 Environments requesting that the account be removed from his credit report.

23 54. Equifax did not conduct a reasonable investigation of Mr. Vinson’s dispute.

24
25 55. Upon information and belief, Equifax simply forwarded Mr. Vinson’s dispute
26 to Western Control.

1 56. Upon information and belief, Western Control did not conduct a reasonable
2 investigation, if any, of Mr. Vinson's dispute.
3

4 57. Upon information and belief, Western Control verified the debt.

5 58. On April 29, 2011, Equifax responded that it had researched the account and
6 it was reporting a zero balance.
7

8 59. However, Equifax continued to report the account as a "collection account."

9 60. On May 17, 2011, Mr. Vinson sent a final dispute to Equifax explaining why
10 the account should not be listed as a collection account and once against
11 including a copy of the letter from Creative Environments requesting that the
12 item be deleted from his credit report. (Mr. Vinson's letter attached as Exh.
13 J).
14
15

16 61. Equifax did not conduct a reasonable investigation of Mr. Vinson's dispute.

17 62. Upon information and belief, Equifax simply forwarded Mr. Vinson's dispute
18 to Western Control.
19

20 63. Upon information and belief, Western Control did not conduct a reasonable
21 investigation, if any, of Mr. Vinson's dispute.
22

23 64. Upon information and belief, Western Control verified the debt.

24 65. On May 30, 2011, Equifax sent Mr. Vinson a letter again stating that it had
25 researched the account and was reporting a zero balance. (Equifax's
26 response attached as Exh. K).
27
28

Mr. Vinson is Denied Credit

66. On August 5, 2011, Mr. Vinson applied to refinance his home through Nova Home Loans.
67. He was applying to refinance his home loan at interest rate of 4.75 on a 30 year fixed mortgage or 3.5 percent on a 7/1 Arm.
68. Nova Home Loans pulled his credit and found the Western Control item.
69. Nova Home Loans and Mr. Vinson contacted Western Control in an attempt to get the item removed from his credit report.
70. Western Control refused.
71. Nova Home Loans denied Mr. Vinson's application for credit. (Denial letter attached as Exh. L).

CLAIMS AGAINST WESTERN CONTROL

**CAUSE OF ACTION NO. 1: VIOLATION OF THE FAIR DEBT
COLLECTION PRACTICES ACT**

72. Western Control's acts and omissions constitute violations of the FDCPA, including, but not limited to:
- a. The use of false, deceptive, or misleading representations or means in connection with the collection of a debt; 15 U.S.C. § 1692e;
 - b. Misrepresenting the character, amount, or legal status of the debt; 15 U.S.C. § 1692e(2)(A);

- 1 c. The use of any false representation or deceptive means to collect or
2 attempt to collect any debt or to obtain information concerning a
3 consumer; 15 U.S.C. § 1692e(10); and,
4
5 d. The use of unfair or unconscionable means to collect or attempt to
6 collect any debt; 15 U.S.C. § 1692f.
7

8 73. As a result of Western Control's violations of the FDCPA, Mr. Vinson
9 suffered damages in an amount to be determined by this Court.
10

11 74. Western Control is therefore liable to Mr. Vinson in the amount of Mr.
12 Vinson's actual damages, statutory damages in the amount of \$1,000, costs,
13 and attorney's fees. 15 U.S.C. § 1692k(a).
14

15 **COUNT II: VIOLATION OF THE FCRA**

16 75. In the entire course of its action, Western Control willfully and/or negligently
17 violated the provisions of the FCRA in the following respects:
18

- 19 a. By failing to conduct a reasonable investigation upon Mr. Vinson's
20 disputes of the incorrect reporting on his credit report. 15 U.S.C. §
21 1681s-2(b).
22

23 76. As a result of Western Control's failure to comply with the FCRA, Mr.
24 Vinson has suffered damages in an amount to be determined by this Court.
25
26
27
28

1 77. Mr. Vinson is therefore entitled to recover actual or statutory damages,
2 whichever is greater, punitive damages, costs, and attorney's fees. 15 U.S.C.
3 §. 1681n.
4

5 **CLAIM AGAINST EXPERIAN**

6 **COUNT III: VIOLATION OF THE FCRA**

7
8 78. In the entire course of its action, Experian willfully and/or negligently
9 violated the provisions of the FCRA in the following respects:

10
11 a. By failing to conduct a reasonable reinvestigation upon Mr. Vinson's
12 disputes of the incorrect reporting on his credit report. 15 U.S.C. §
13 1681i(a)(1)(A).
14

15 b. By failing to provide notice pursuant to 15 U.S.C. § 1681i(a)(6).

16 79. As a result of Experian's failure to comply with the FCRA, Mr. Vinson has
17 suffered damages in an amount to be determined by this Court.
18

19 80. Mr. Vinson is therefore entitled to recover actual or statutory damages,
20 whichever is greater, punitive damages, costs, and attorney's fees. 15 U.S.C.
21 §. 1681n.
22

23 **CLAIM AGAINST EQUIFAX**

24 **COUNT IV: VIOLATION OF THE FCRA**

25 81. In the entire course of its action, Equifax willfully and/or negligently violated
26 the provisions of the FCRA in the following respects:
27
28

82. As a result of Equifax's failure to comply with the FCRA, Mr. Vinson has suffered damages in an amount to be determined by this Court.

83. Mr. Vinson is therefore entitled to recover actual or statutory damages, whichever is greater, punitive damages, costs, and attorney's fees. 15 U.S.C. §. 1681n.

84. Mr. Vinson demands a jury on all issues so triable.

WHEREFORE, Plaintiff prays that the Court grant the following relief against Defendants:

- 13

1 RESPECTFULLY SUBMITTED August 25, 2011.

2
3 CHOI & FABIAN, PLC

4
5 Veronika Fabian /s/

6 Veronika Fabian

7 Attorneys for Plaintiff

Exhibit A

PHOENIX OFFICE
800 West Washington, 6th Floor
Phoenix, AZ 85007-2940
(602) 542-1525
AZ Toll-free (888) 271-9286



MESA OFFICE
2222 S. Dobson Rd., Ste. 101
Mesa, AZ 85202-6483
(602) 542-1525
(480) 491-7594 Fax

ARIZONA REGISTRAR *of* CONTRACTORS

Janet Napolitano, Governor

Fidelis V. Garcia, Acting Director

November 17, 2006

NOTICE FROM THE REGISTRAR

"CORRECTIVE WORK ORDER"

CREATIVE ENVIRONMENTS DESIGN AND LANDSCAPE INC
2128 E CEDAR ST
TEMPE, AZ 85281

VINSON JOHN C

Redacted

Re: Complaint No. M07-0503

Dear Contractor and Complainant:

Pursuant to our recent investigation of this complaint and based on the facts before the agency at this time, the following action must be taken no later than 15 calendar days from the date of this letter.

**FAILURE TO COMPLY MAY RESULT IN THE ISSUANCE OF A CITATION,
SUSPENSION AND/OR REVOCATION OF YOUR LICENSE TOGETHER
WITH CIVIL PENALTIES OF UP TO \$500 FOR EACH VIOLATION.**

CORRECTIVE WORK ORDER ATTACHED

Page 2
November 17, 2006
Complaint No. M07-0503

From a scheduling point of view and in order that the contractor may take corrective measures in an orderly and prompt manner, cooperation between the contractor and complainant is necessary.

CONTRACTOR:

Your attention is directed to A.R.S. §32-1154, subsection A, paragraph 23, which provides for the suspension or revocation of a license for:

"Failure to take appropriate corrective action to comply with this chapter or with rules adopted pursuant to this chapter without valid justification within a reasonable period of time after receiving a written directive from the Registrar..."

Your attention is also directed to A.R.S. §32-1154, subsection D, which provides that:

"The Registrar may impose a civil penalty of not to exceed five hundred dollars on a contractor for each violation of subsection A, paragraph 23, of this section.."

This letter constitutes the written notice referred to in the statute. An alleged violation of the above provisions may be charged along with any additional violations which may stem from the complaint that has been filed against your license if this matter goes to hearing.

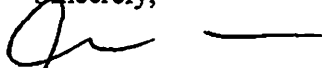
COMPLAINANT:

If the contractor has not properly performed the work as directed within the time period allotted on page one of this directive and you wish to pursue this matter, then you may request an administrative hearing in writing. In your request for a hearing you must list those items in your complaint or on the reverse side of this directive that have not been corrected or have not been corrected properly. This information is required to assist us in filing proper charges against the contractor. Once a citation against a contractor's license has been filed by our office, it is the obligation of the complainant to show sufficient evidence at the hearing to prove a violation by the contractor.

If no such written contact is made within 10 calendar days after the allotted time, we will assume your complaint has been resolved and it shall be closed.

Your questions with regard to this letter should be directed to the undersigned inspector.

Sincerely,



Geoff Galgan
Inspector
Mesa Office
GG/lr
Phone: 602-542-1525 ext#3106
Fax: 480-491-7594

Cc: File

CORRECTIVE WORK ORDER
M07-0503

The contractor is to correct the following by appropriate means:

1. Irrigation system not installed or redesigned properly-
It is this inspector's opinion that repair of irrigation system was contracted for
and not completed. Contractor to correct by appropriate methods.

2. Dead plantings-
Contractor is to correct by the appropriate method due to the failure of
irrigation system contributing or causing the failure in most likelihood.

3. Inappropriate plant selection-
No action required of contractor.

4. Undersized plantings-
No action required of contractor.

End of Corrective Work Order

Exhibit B

Sep. 23. 2010 5:02PM

No. 1529 P. 1

Voted Arizona's "#1 Landscape Design/Build Company" year after year



Wednesday, September 15, 2010

Western Control Services
P.O. Box 1352
Englewood, CO 80150

RE: John Vinson - 10-PHX5-1455

To Whom It May Concern:

This letter is in regards to our customer, John Vinson, property address of Redacted. Mr. Vinson's account was given to Western Control Services for collection in 2007, and as a result, he has a negative reporting on his credit report. Mr. Vinson's account with us was paid in full on 9/25/2007, and we would like to request that the negative reporting be removed.

Should you have any questions or concerns, please do not hesitate to contact me at 480-458-4032.

Sincerely,

A handwritten signature in cursive script that reads "Heather Dunchus".

Heather Dunchus
Account Receivable Manager/Staff Accountant
480-458-4032 - Direct Phone
480-458-4532 - Direct Fax
heatherd@creativeenvironments.com

"If you can dream it, we can build it!"

Creative Environments Design & Landscape • 8920 S Hardy Drive, Tempe, AZ 85284
Ph. 480.777.9305 • Fax 480.777.9296 • www.creativeenvironments.com
License #ROC124224 (A-21), #ROC100323 (C-21), #ROC159441 (B), #ROC247807 (KA-05)

Exhibit C

*** 230107048-009***

PO Box 2000

Chester, PA 19022



12/11/2010 TransUnion.

P1BSQK00200023-1000089-019104206



JOHN CHARLES VINSON

Redacted

Our investigation of the dispute you recently submitted is now complete. The results are listed below. If an item you disputed is not in the list of results below, it was either not appearing in your credit file or it already reflected the corrected status at the time of investigation.

If our investigation has not resolved your dispute, you may add a 100-word statement to your report. If you provide a consumer statement that contains medical information related to service providers or medical procedures, then you expressly consent to TransUnion including this information in every credit report we issue about you. If you wish to obtain documentation or written verification concerning your accounts, please contact your creditors directly.

If there has been a change to your credit history resulting from our investigation, or if you add a consumer statement, you may request that TransUnion send an updated report to those who received your report within the last two years for employment purposes, or within the last one year for any other purpose.

If interested, you may also request a description of how the investigation was conducted along with the business name, address and telephone number of any company we may have contacted for information.

Thank you for helping ensure the accuracy of your credit information.

For frequently asked questions about your credit report, please visit <http://transunion.custhelp.com>.

Investigation Results

ITEM	DESCRIPTION	RESULTS
PERSONAL INFORMATION		NEW INFORMATION BELOW
WESTERN CONTROL SERVICE	# 1THV	DELETED
PO BOX 1352		
ENGLEWOOD, CO 80150		
303-761-6102		



File Number: Redacted
Page: 1 of 1
Date Issued: 12/11/2010

Personal Information

Name: JOHN CHARLES VINSON

SSN: Redacted
Date of Birth: Redacted
Telephone: Redacted
Your SSN is partially masked for your protection.

Other Names: VINSONTAEKO, JOHN, CHARLES
VINSON, VINSON, JOHN
You have been on our files since 05/1984

CURRENT ADDRESS

Address: Redacted

Date Reported: 12/2003

PREVIOUS ADDRESS

Address: Redacted

Date Reported: 11/2003

Address: Redacted

EMPLOYMENT DATA REPORTED

Employer Name: VINSON REALTY
Date Verified: 08/2008

Position:
Hired:

Employer Name: SELF VINSON REALTY & INVESTMENTS
Date Reported: 11/2006

Position:
Hired:

- End of investigation results -

To view a free copy of your full, updated credit file, go to our website <http://disclosure.transunion.com>

Exhibit D



Forwarded for
JOHN VINSON

Report date

November 25, 2010

Page 1 of 2

Dear JOHN VINSON,

We received a suspicious request regarding your personal credit information that we have determined was not sent by you. This could be deemed as deceptive or fraudulent use of your information. We have not taken any action on this request. Any future requests made in this manner will not be processed and will not receive a response. Suspicious requests are taken seriously and reviewed by Experian security personnel who will report deceptive activity, including copies of letters deemed as suspicious, to law enforcement officials and to state or federal regulatory agencies.

If you believe that information in your personal credit report is inaccurate or incomplete, please call us at the phone number that displays on your Experian personal credit report, or visit our secure web site at www.experian.com/dispute. You also may write to us at the address on your Experian personal credit report. Be sure to include all of the following: your full name including middle initial (and generation such as JR, SR, II, III); Social Security number; current mailing address; date of birth; and previous addresses for the past two years.

Include the account name and number for any item on your credit report that you wish to dispute, and state the specific reason why you feel the information is inaccurate. We will ask the data furnisher to review their records to verify the information. An investigation may take up to 30 days (±5 days when disputing information in your annual free credit report). Once we receive the results of the investigation, we will promptly notify you of the outcome.

We hope this information is helpful to you.

Sincerely,

Experian's National Consumer Assistance Center



*****ALL FOR AADC 852
00012961 AB 0.357 L 974
JOHN VINSON

Product

da

0138197093

L-974-01296-0101000

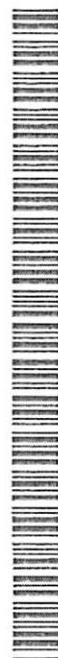


Exhibit E

Dec 23, 2010

Experian
P. O. Box 2002
Allen, TX 75013

Re: Inaccurate Information
WESTERN CONTROL SERVICE - 1thv

To Whom It May Concern,

The information regarding this account is inaccurate. I am enclosing a copy of the investigation results from another credit bureau, which shows that they accurately completed their investigation and corrected my credit report.

The enclosed reinvestigation is proof that the disputed information was found inaccurate or incomplete, and must be corrected as required by law under FCRA § 623 Responsibilities of furnishers of information to consumer reporting agencies [15 U.S.C. § 1681s-2] and FCRA 611 Procedure in case of disputed accuracy [15 U.S.C. § 1681h].

(a)(5)(A) If after any reinvestigation of any information disputed by a consumer, an item of the information is found to be inaccurate or incomplete or cannot be verified, the consumer reporting agency shall –

(i) promptly delete that item of information from the file of the consumer, or modify that item of information, as appropriate, based on the results of the reinvestigation;

Per the results of the enclosed reinvestigation, please correct my credit file accordingly.

Thank you in advance,

JOHN VINSON

Redacted EST

Redacted

Exhibit F

Prepared for: JOHN CHARLES VINSON

Date: January 18, 2011

Report number: Redacted



Dear JOHN CHARLES VINSON ,

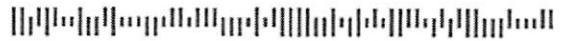
To assist you in understanding your correction summary, we have provided additional information that relates directly to items on your personal credit report.

update or delete information in our database based on the results of an investigation with another consumer credit reporting company nor can we dispute information for a consumer with another consumer credit company.

Sincerely,

Each national consumer credit reporting company may interpret the requirements of the Fair Credit Reporting Act differently and each company has their own policies and guidelines for investigations. Therefore, we cannot

Experian
NCAC
PO BOX 9701
Allen TX 75013



Redacted
JOHN CHARLES VINSON
0001091 01 AT 0 354 **AUTO 6 1 7060 85284-350426 -C01-P01092-1



PO Box 9701
Allen, TX 75013

0138197093



Prepared for: JOHN CHARLES VINSON

Date: January 18, 2011

Report number: Redacted

Page 2 of 4

Investigation results

About our dispute verification process

This summary shows the revision(s) made to your credit file as a result of the verification we recently completed. If you still question an item, then you may want to contact the source of the information.

The federal Fair Credit Reporting Act states that you may:

- request a description of how we verified the information, including the business name and address contacted and the telephone number if reasonably available;
- add a statement disputing the accuracy or completeness of the information; and
- request that we send these results to organizations who have reviewed your credit report in the past two years for employment purposes or six months for any other purpose.

If no information follows, our response appeared on the previous page.

How to read your results

Deleted - This item was removed from your credit report

Remains - This item has been verified as accurate

Updated - A change was made to this item; review this report to view the change. If ownership of the item was disputed, then it was verified as belonging to you

Investigated - This item was either updated or deleted; review this report to learn its outcome

Results

We completed investigating any items you disputed with the sources of the information and processed any other requests you made. Here are the results:

Credit items	Outcome
PROGRESSIVE FINANCIAL 36895....	Deleted
CHASE MANHATTAN MORTGAGE 202060....	Investigated
WESTERN CONTROL SERVICE 1...	Updated

Visit experian.com/status to check the status of your pending disputes at any time

Additional information

To view a full copy of your corrected credit report, visit experian.com/viewreport

☐ To receive a copy by mail, check this box and within 30 days return this original page to P.O. Box 9701, Allen, TX 75013.

Copies will not be accepted.

What's your credit score?

Find out by ordering your VantageScore® from Experian for only \$7.95. To order, call 1 888 322 5583.

By law, we cannot disclose certain medical information (relating to physical, mental, or behavioral health or condition). Although we do not generally collect such information, it could appear in the name of a data furnisher (i.e. "Cancer Center") that reports your payment history to us. If so, those names display on your report, but on reports to others, they display only as MEDICAL PAYMENT DATA. Consumer statements included on your report at your request that contain medical information are disclosed to others.

0138197093



Prepared for: JOHN CHARLES VINSON

Date: January 18, 2011

Report number: Redacted

Page 3 of 4



Your accounts that may be considered negative

The most common items in this section are late payments, accounts that have been charged off or sent to collection, bankruptcies, liens, and judgments. It also may contain items that are not necessarily negative, but that a potential creditor might want to review more closely, such as an account that has been settled or transferred. This information is generally removed seven years from the initial missed payment that led to the delinquency. Missed payments and most public record items may remain on the credit report for up to seven years, except Chapters 7, 11 and 12 bankruptcies and unpaid tax liens, which may remain for up to 10 years. A paid tax lien may remain for up to seven years. Transferred accounts that have not been past due remain up to 10 years after the date the account was transferred.

Payment history legend

OK	Current/Terms of agreement met	VS	Voluntarily surrendered
30	Account 30 days past due	R	Repossession
60	Account 60 days past due	PEC	Paid by creditor
90	Account 90 days past due	IC	Insurance claim
120	Account 120 days past due	G	Claim filed with government
150	Account 150 days past due	D	Defaulted on contract
180	Account 180 days past due	C	Collection
CRD	Creditor received deed	CO	Charge off
FS	Foreclosure proceedings started	CLS	Closed
F	Foreclosed	ND	No data for this time period

Credit items

WESTERN CONTROL SERVICES

730 W HAMPDEN AVE STE 306
ENGLEWOOD CO 80110

No phone number available

Partial account number

Redacted

Address identification number

Redacted

Original creditor CREATIVE

ENVIRONMENTS

Payment history

2008 2007

JAN DEC

CLS C

Responsibility

Individual

Status

Paid,Closed.

This item was verified and updated on Feb 2008.

Recent balance

Not reported

Credit limit or original amount

Redacted

High balance

Not reported

Type

Collection

Terms

1 Months

Monthly

payment

Not reported

Date opened

Jul 2007

First reported

Dec 2007

Date of status

Jan 2008

0138197093

Exhibit G



Prepared for: JOHN CHARLES VINSON
Date: February 22, 2011

Page 1 of 2

Dear JOHN CHARLES VINSON

We were unable to honor your recent request because you did not provide sufficient identification information for us to verify your identity. Please read the information below if you would like to order a copy of your personal credit report or if you would like to request an investigation of information on your report that you believe is inaccurate. To order a copy of your personal credit report, visit www.experian.com/consumer for secure and immediate online access, or you may call

1 (888) EXPERIAN (1 888 397-3742) to order your report for delivery by U.S. mail.

The Federal Fair Credit Reporting Act states: A consumer credit reporting company shall require as a condition of disclosure that the consumer furnish proper identification; therefore, if you write to us, we must require all of the following information in order to process your request: full name, including middle name and generation (such as JR, SR, II, III); current mailing address; Social Security number (required to obtain your report); date of birth; and complete addresses for the past two years (including apartment numbers and ZIP codes). In addition, enclose one copy of a government issued identification card, such as a driver's license, state or military ID card, etc., and one copy of a utility bill, bank or insurance statement, etc. Make sure that each copy is legible (enlarge if necessary), displays your name and current mailing address, and the date of issue (statement dates must be recent). We are unable to accept credit card statements, voided checks, lease agreements, magazine subscriptions or postal service forwarding orders as proof. To protect your personal identification information, Experian does not return correspondence sent to us. Send copies of any documents you wish to provide to us and always retain your original documents. Under the federal Fair Credit Reporting Act, we will provide you with a free personal credit report if you have received notice within the last 60 days that you were declined credit, insurance, employment or rental dwelling opportunities, or if adverse action was taken against you based on information in an Experian credit report. If you send us a copy of the declination letter or proof of the adverse action, then we will process your request for a free personal credit report. Under federal law, you also may receive a free personal credit report if you certify to us that (1) you are unemployed and plan to seek employment within 60 days, (2) you are a recipient of public welfare assistance, or (3) you have reason to believe that your credit information is inaccurate due to fraud. Send your request in writing, specifying one of these reasons, to: Experian, PO Box 2002, Allen, TX, 75013. If you do not

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JOHN CHARLES VINSON



PO Box 9701
Allen, TX 75013

00000000000

Prepared for: JOHN CHARLES VINSON
Date: February 22, 2011



qualify for a free personal credit report as legislated by any federal or state laws, then you may purchase your report with a check or money order. Fees are as follows: California, \$8; Connecticut, \$5.30*; Minnesota, \$3; Hawaii, \$10.92*; New Mexico, \$11.03*; New York and Texas, \$11.37*; Montana, \$8.50; Pennsylvania and Puerto Rico, \$11.24*; South Carolina, South Dakota, West Virginia and Washington, D.C., \$11.13*. All other states, \$10.50. If you already have received your allotted free credit report(s) based on your state's law, fees are as follows: Colorado, Massachusetts, \$8; New Jersey, \$8.56*; Georgia, \$10.50; Maine, \$5; Maryland, \$5.30*; and Vermont, \$7.50. (* includes taxes)

Acceptable forms of payment are credit card, check and money order. If you submit your credit card information by mail, be sure to include the name exactly as it is displayed on the card, the credit card type, the credit card number and the expiration date. Accepted credit cards are American Express, Diners Club, Discover, MasterCard and VISA.

You also may be eligible for an annual free credit report from each of the nationwide consumer credit reporting companies when you make your request via www.annualcreditreport.com, call 1 (877) 322-8228, or write to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. If you already have your personal credit report and believe that information is inaccurate, visit

www.experian.com/disputes, or you may call the number on your report to request an investigation. If you write to us to request an investigation, please send all of the identification information listed above, and list each item on your report that you believe is inaccurate, the account number and the specific reason you feel the information is incorrect. There is no charge for requesting an investigation. Once we receive your request, we will contact the source of the information you questioned. When we complete our investigation process, which may take up to 30 days (or up to 45 days for an investigation of information in an annual free credit report), we will send you the results. **To check the status of your investigation, you may log on to www.experian.com/status.**

Sincerely,

Experian National Consumer Assistance Center

0000000000



Exhibit H

John C. Vinson

Redacted

Redacted

June 15, 2011

Experian
Consumer Disputes
P.O. Box 9555
Allen, TX 75013-9555

Dear Experian:

I am writing to dispute the item appearing on my credit report for Western Control Service. This account appears as a collection account, with no balance outstanding. The original creditor is Creative Environments. This account is being reported incorrectly.

This account was never a collection account. I hired Creative Environments to landscape my yard. Unfortunately, they did not properly finish the landscape job and therefore I withheld my final payment and filed a complaint with the Arizona Registrar of Contractors ("AROC"). AROC found in my favor. A copy of AROC's Notice and Corrective Work Order is enclosed. Once Creative Environment finished properly landscaping my yard in accordance with the AROC's order, I paid the remaining balance due on the account. However, while the dispute was pending, Creative Environments improperly referred the account to Western Control Service, who began reporting it on my credit report. Once the dispute was resolved in my favor, Creative Environments sent a letter to Western Control Service requesting that they delete the collection account from my credit report. A copy of that letter is enclosed. However, Western Control Service refuses to remove the item from my credit report.

This item has affected my ability to obtain credit. Please investigate and remove it immediately.

Sincerely,

Redacted

Enclosures (as stated)

cc: Western Control Service

Exhibit I

P. O. Box 105518
Atlanta, GA 30348

003447



000908514-3447
John Charles Vinson



EQUIFAX

CREDIT FILE : November 29, 2010
Confirmation # Redacted

Dear John Charles Vinson:

Below are the results of your request for Equifax to reinvestigate certain elements of your Equifax credit file. Equifax contacted each source directly and our investigation is now completed. If you have any additional questions or concerns, please contact the source of that information directly.

You may contact Equifax regarding the specific information contain in this letter within the next 60 days by visiting us at www.investigate.equifax.com or by calling a Customer Representative at (888) 836-6360 from 9:00am to 5:00pm Monday-Friday in your time zone. If you want to request a free copy of the Equifax credit file you can call our toll free number at (877) 576-5766.

Thank you for giving Equifax the opportunity to serve you.

The Results Of Our Reinvestigation

>>> We have reviewed your concerns and our conclusions are:

The disputed account ~~was~~ control services is currently not reporting on the Equifax credit file.

Notice to Consumers

Upon receipt of your dispute, we first review and consider the relevant information you have submitted regarding the nature of your dispute. If the review does not resolve your dispute and further investigation is required, notification of your dispute, including the relevant information you submitted, is provided to the source that furnished the disputed information. The source reviews the information provided, conducts an investigation with respect to the disputed information and reports the results back to us. The credit reporting agency then makes deletions or changes to your credit file as appropriate based on the results of the reinvestigation. The name, address and, if reasonably available, the telephone number of the furnisher(s) of the information contacted while processing your dispute(s) is shown under the "Results of Your Investigation" section on the cover letter that accompanies the copy of your revised credit file.

If you still disagree with an item after it has been verified, you may send to us a brief statement, not to exceed one hundred words (two hundred words for Maine residents), explaining the nature of your dispute. Your statement will become part of your credit file and will be disclosed each time that your credit file is accessed.

If the reinvestigation results in a change to or deletion of the information you are concerned about, or you submit a statement in accordance with the preceding paragraph, you have the right to request that we send your revised credit file to any company that received your credit file in the past six months (twelve months for California, Colorado, Maryland, New Jersey and New York residents) for any purpose or in the past two years for employment purposes.

(Continued On Next Page)

Page 1 of 2

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Exhibit J

John C. Vinson

Redacted

May 17, 2011

Equifax Information Solutions, LLC
P.O. Box 740256
Atlanta, GA 30374

Dear Equifax:

I am writing to dispute the item appearing on my credit report for Western Control Service. This account appears as a collection account, with no balance outstanding. The original creditor is Creative Environments. This account is being reported incorrectly.

This account was never a collection account. I hired Creative Environments to landscape my yard. Unfortunately, they did not properly finish the landscape job and therefore I withheld my final payment and filed a complaint with the Arizona Registrar of Contractors ("AROC"). AROC found in my favor. A copy of AROC's Notice and Corrective Work Order is enclosed. Once Creative Environment finished properly landscaping my yard in accordance with the AROC's order, I paid the remaining balance due on the account. However, while the dispute was pending, Creative Environments improperly referred the account to Western Control Service, who began reporting it on my credit report. Once the dispute was resolved in my favor, Creative Environments sent a letter to Western Control Service requesting that they delete the collection account from my credit report. A copy of that letter is enclosed. However, Western Control Service refuses to remove the item from my credit report. This item has affected my ability to obtain credit. Please investigate and remove it immediately.

Sincerely,

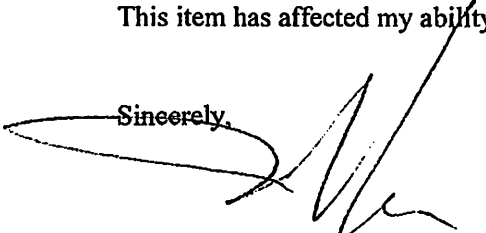

John Vinson
Enclosures (as stated)
cc: Western Control Service

Exhibit K

EQUIFAX**CREDIT FILE : May 30, 2011
Confirmation # [Redacted]**P. O. Box 105518
Atlanta, GA 30348

002132

000980997-2132
John Charles Vinson

Dear John Charles Vinson:

Your request for Equifax to reinvestigate certain items of your credit file is now complete.

Below are your results and a report of your credit file revised, as applicable, as a result of the reinvestigation. If you have additional questions regarding the reinvestigated items, please contact the source of that information directly. You may also contact Equifax regarding the specific information contained within this letter or report within the next 60 days by visiting us at www.investigate.equifax.com.

Thank you for giving Equifax the opportunity to serve you.

The Results Of Our Reinvestigation**Collection Agency Information** (This section includes accounts that have been placed for collection with a collection agency.)

>>> **We have researched the collection account. Account # - [Redacted]** The results are: This creditor is currently reporting a zero balance for this account. Adverse accounts that have been paid in full will automatically be deleted seven years from the date of last activity. If you have additional questions about this item please contact: **Western Control Services, 730 W Hampden Ave. #306, Englewood CA 80110 Phone: (303) 761-6102**

Western Control Services: Collection Reported 05/2011; Assigned 07/2007; Creditor Class - Retail; Client - Creative Environments; Amount - \$3,595; Status as of 05/2011 - Paid; Date of 1st Delinquency 10/2005; Balance as of 05/2011 - \$0; Last Payment Date 01/2008; Individual Account; Account # - 1THV; ADDITIONAL INFORMATION - Consumer Disputes This Account Information; Address: 730 W HAMPDEN AVE. #306 ENGLEWOOD CA 80110; (303) 761-6102

Notice to Consumers

You may request a description of the procedure used to determine the accuracy and completeness of the information, including the business name and address of the furnisher of information contacted, and if reasonably available the telephone number.

If the reinvestigation does not resolve your dispute, you have the right to add a statement to your credit file disputing the accuracy or completeness of the information; the statement should be brief and may be limited to not more than one hundred words (two hundred words for Maine residents) explaining the nature of your dispute.

If the reinvestigation results in the deletion of disputed information, or you submit a statement in accordance with the preceding paragraph, you have the right to request that we send your revised credit file to any company specifically designated by you that received your credit report in the past six months (twelve months for California, Colorado, Maryland, New Jersey and New York residents) for any purpose or in the past two years for employment purposes.

(Continued On Next Page)

Page 1 of 2

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Exhibit L



To whom it may concern,

I am writing this letter based on the inability to do a refinance for the property located @ Redacted due to the Collection on your Credit Report from Western Control Services. I had my Credit Services Department request this to be removed being that it is showing paid in full, but Western Control Services was still not willing to remove this from the credit. There is usually not an issue in getting these items removed after they are paid in full, but in this situation Western Control Services would not remove this item.

Based on all this information, I will not be able to approve this loan for a refinance until this item is removed from the credit report.

If you have any questions or concerns, please feel free to give me a call directly.

Thanks,

A handwritten signature in black ink, appearing to read "Jason Wojtyna".

Jason Wojtyna
Sr. Loan officer
Nova Home Loans
jason.wojtyna@novahomeloans.com